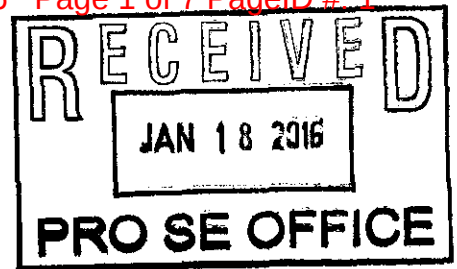


ORIGINAL

CIVIL RIGHTS COMPLAINT
42 U.S.C. § 1983

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK



-----X
Tyrone MASSEY 8881400249
Full name of plaintiff/prisoner ID#

Plaintiff,

JURY DEMAND
YES ☒ NO ☐

-----X
against
CorRECTIONAL OFFICER brown
CAPTAIN RIVERA
Deputy WARDEN DOUGLAS
Enter full names of defendants
[Make sure those listed above are
identical to those listed in Part III.]

CV 16-328
KUNTZ, J.

Defendants.
-----X

I. Previous Lawsuits:

LEVY, M.J.

- A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to your imprisonment? Yes () No (☒)
- B. If your answer to A is yes, describe each lawsuit in the space below (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiffs: _____

Defendants: _____

2. Court (if federal court, name the district;
if state court, name the county)

3. Docket Number: _____

4. Name of the Judge to whom case was assigned: _____

5. Disposition: (for example: Was the case dismissed? Was it appealed? Is it still pending?)

6. Approximate date of filing lawsuit: _____

7. Approximate date of disposition: _____

II. Place of Present Confinement: 09.09 HAZENST E. ELMHURST, NY 11370

A. Is there a prisoner grievance procedure in this institution? - Yes (☒) No ()

B. Did you present the facts relating to your complaint in the prisoner grievance procedure? Yes () No ()

C. If your answer is YES,

1. What steps did you take? _____

2. What was the result? _____

D. If your answer is NO, explain why not I am constantly being told that if I filed a grievance it would not go nowhere and my stay here on Rikers would be hell

E. If there is no prison grievance procedure in the institution, did you complain to prison authorities? Yes () No ()

F. If your answer is YES,

1. What steps did you take? _____

2. What was the result? _____

I Parties:

(In item A below, place your name in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.)

A. Name of plaintiff

Tyrone MASSEY

Address

09.09 HAZEN ST E. ELMHURST NY 11370

(In item B below, place the full name and address of each defendant)

B. List all defendants' names and the addresses at which each defendant may be served. Plaintiff must provide the address for each defendant named.

Defendant No. 1

Deputy Warden Douglas
09.09 HAZEN street
E. ELMHURST, NY 11370

Defendant No. 2

Captain Rivera
09.09 HAZEN street
E. ELMHURST, N.Y 11370

Defendant No. 3

Correctional officer Brown (female)
09.09 HAZEN ST
E. ELMHURST, N.Y 11370

Defendant No. 4

Defendant No. 5

[Make sure that the defendants listed above are identical to those listed in the caption on page 1].

IV. Statement of Claim:

(State briefly and concisely, the facts of your case. Include the date(s) of the event(s) alleged as well as the location where the events occurred. Include the names of each defendant and state how each person named was involved in the event you are claiming violated your rights. You need not give any legal arguments or cite to cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. You may use additional 8 ½ by 11 sheets of paper as necessary.)

On December 20, 2015 at approximately 11:00 AM At the George R. Verno Center located on Rikers Island in 13 B White I WAS on suicide watch in a mental observation housing I WAS hearing voices commanding me to cut myself I cut myself on my thigh AREA numerous times. I took several sheets of blank white paper and wiped my blood on them. I then threw the white paper on to the Tier. When Deputy Warden approached my cell #27 my assigned watch sheet officer told Deputy Warden Douglas I WAS cutting myself she kicked the bloody papers under my door. I kicked them back out and she kicked them back in. she began to pull on the phone wire I possessed I pulled back then gave her the wired AND phone As she assured me I would receive medical Attention

CONT. →

IV.A If you are claiming injuries as a result of the events you are complaining about, describe your injuries and state what medical treatment you required. Was medical treatment received?

Multiple lacerations to my thigh I did not receive medical Attention due to defendant's deliberate indifference during their tour of duty. However I did receive medical Attention on the next tour approximately 10 hours later. my lacerations were cleaned, dressed and bandaged with an order by physician for me to receive additional dressing changes for a few days I WAS referred to mental health and cannot sleep as I always have nightmares of dying at the hands of D.O.C.

Statement of Claim

my shower, AS well AS D.O.T medication. I told her that officer brown the top tier officer had told me I was not going to receive a shower. I ALSO told Deputy Warden Douglas that AS I am a CAPTAIN escort I WAS AFRAID that the housing AREA CAPTAIN would not give me my shower, D.O.T medication and medical ATTENTION AS housing AREA CAPTAIN RIVERA had denied me shower and D.O.T medication before in the past I was sure he would do it again. Deputy Warden Douglas continue to assure me she would make sure I receive my shower, D.O.T medication and medical ATTENTION. I continuously pleaded with Deputy Douglas not to leave the housing AREA AS I believed if she left I would not receive any help and just hopelessly be left in my cell with no shower, D.O.T medication or medical care for cutting myself. Despite my pleading for help Deputy Warden Douglas violated my 8th Amendment constitutional rights by being deliberately indifferent to my medical needs AS she was fully aware I had cut myself AS can be viewed by cameras and verified AS incident was recorded on suicide watch sheet written At 11:00am and 11:45am approximately. AS well AS my relentless pleading.

STATEMENT OF CLAIM

I WAS in my cell hearing voices experiencing headache ~~pains~~ and problems breathing. As I WAS becoming more and more emotionally involved/ disabled, angry, scared, nervous and hopeless I felt like the voices and DOC OFFICIALS were trying to kill me.

Deputy DOUGLAS Captain RIVERA and officer brown in a coordinated effort were deliberately indifferent to my medical and mental health needs knowing they were subjecting me to a substantial amount of harm in my case potential suicide. They denied me medical and mental health care. For these reasons I request to bring this action against defendants in their individual capacity in violation of the 8th Amendment.

It should be noted that I WAS denied these services as needed because I WAS initially refusing to return a phone after usage however Deputy DOUGLAS who usually gains my compliance, was given the phone by me. As she assured that I would receive services if I did. However after I gave her the phone ~~kept~~ Capt. Rivera kept telling me he is going to take me out my cell and send me to general population so inmates could "pick me up" and he was going to hand with me to ~~the~~ inmates in the housing area so ~~the~~ inmates would be able to fight me. He just kept antagonizing me the entire shift. At one time you can see Deputy DOUGLAS ball her fist up to me as can be viewed by camera and she said "you may be tough but I am tough too I know where you live".

V. Relief:

State what relief you are seeking if you prevail on your complaint.

punitive damages relief in the Amount of
\$20,000

injunctive relief to provide me my minimum
standards showers, medication, medical care and
not deny me because of evil intent or motive

I declare under penalty of perjury that on January, 8 2016 (Date) I delivered this
complaint to prison authorities to be mailed to the United States District Court for the Eastern
District of New York.

Signed this 8th day of January, 2016. I declare under penalty of
perjury that the foregoing is true and correct.

THX

Signature of Plaintiff

George R. Vierho Center

Name of Prison Facility

09-09 Hazen Street
E. Elmhurst, NY 11370

Address

888/400249

Prisoner ID#